

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

UNITED STATES OF AMERICA

PLAINTIFF

v.

NO. 4:08CR00296-01 JLH

SANTOS JACOBA RUBIO

DEFENDANT

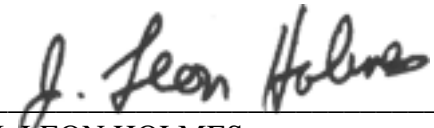
ORDER

Defendant Santos Jacoba Rubio was committed to the custody of the Attorney General for transport for mental evaluation on August 19, 2009. The Court received the written forensic evaluation of defendant from the Warden of the Federal Medical Center - Carswell, in Fort Worth, Texas, on November 9, 2009, and copies have been provided to counsel for the defendant and counsel for the government.

The August 19, 2009, Order indicated that eleven (11) days from the date the examination report is received by the Court and the parties, any party who requests a hearing regarding any issues in the report or opposes the report must file a motion for hearing or a motion in opposition, including a concise statement of opposition to the report and supporting authorities. On November 10, 2009, the Court entered an Order stating that if no motions were filed within eleven (11) days, the Court would enter an Order adopting or rejecting the conclusions set forth in the report, and the period of excludable delay would end. That Order also stated that if counsel for the government or the defendant disputed the findings in the forensic evaluation report, a motion for hearing, or a motion in opposition to report, must be filed by Monday, November 23, 2009. That Order also stated that if no motions were filed, the Court would enter an order based on the conclusions set forth in the report.

No motions have been filed objecting to the conclusions in the forensic evaluation report.
Therefore, the Court hereby adopts the conclusions set forth in that report.

IT IS SO ORDERED this 24th day of November, 2009.



J. LEON HOLMES
UNITED STATES DISTRICT JUDGE